



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Am

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,578	06/29/2001	Miklos Sagi	367.40296X00	5598

20457 7590 06/27/2005

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
----------	--------------

2152

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,578

Applicant(s)

SAGI, MIKLOS

Examiner

Dohm Chankong

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2152

DETAILED ACTION

1> This action is in response to Applicant's remarks and amendment. Claims 1-15 have been cancelled. Claims 16-31 have been added and are presented for examination.

2> This action is a final rejection.

Response to Arguments

3> Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

4> In regards to newly presented claim 31, Examiner disagrees with Applicant that Blount does not disclose the claimed functionality. In fact, Examiner believes that Blount discloses all the functionality as claimed. Claim 31 does not have limitations concerning a preloadable indication or a momentary display of received information. Another substantive difference between claim 31 and the other independent claims is the limitation that upon receipt of information, an indicator is presented to the user to indicate that the information is available locally. In regards to this limitation, Blount discloses: "if the request has completed, a link to the cached result may also be included on this page" [column 15 «lines 61-63»]. Clearly, the link would represent a indication to the user that the result has been successfully download and is now available in his cache. Additionally, Blount discloses that the browser "evaluates HTML data (corresponds to "further information") to determine if there are any embedded hyper-link statements (corresponds to "one or more items of

Art Unit: 2152

information being associated with further information”) in the HTML data which would require subsequent browser requests which would then be initiated by the browser (conceptually similar to prefetching).

Therefore, Blount clearly anticipates the subject matter of claim 31.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5> Claim 31 is rejected under 35 U.S.C § 102(e) as being anticipated by Blount et al, U.S Patent No. 6,070,184 [“Blount”].

6> Blount discloses a method of accessing remote data, comprising:

monitoring a user interface for the selection of an item of information from a plurality of items of information presented to the user on a display, each of the items of information being associated with further information stored by a remote server [column 1 «lines 32-47» where: Blount’s hyper-link statements are analogous to a plurality of items of information];

Art Unit: 2152

in response to the selection of an item of information from the plurality of items of information, sending a first request to the remote server for the further information [Figure 5 «item 264»];

on receipt of the further information in response to the first request displaying the first information on the display [column 15 «lines 2-15»];

wherein on presentation of the further information relating to the first request, checking whether the further information contains one or more items of information being associated with further information and sending a request to the remote server for the further information associated with all of the items of presented information [column 1 «lines 32-43» | column 10 «lines 39-48» where : the embedded hyper-link statements within an already downloaded HTML page correspond to a one ore more items of information. Therefore, Blount's storing of request queues is directed towards requesting hyper-link statements (associated items of information) from an HTML page (further information)]; and

on receipt of the further information, presenting to the user an indicator indicating that said further information is available locally [column 15 «lines 61-63»].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Art Unit: 2152

7> Claims 16, 18, 19, 22-26, and 28-30 are rejected under 35 U.S.C § 103(a) as being unpatentable over Blount in view of Slotznick, U.S Patent No. 6.011.537, in further view of Lambert et al, U.S Patent No. 6.038.601 ["Lambert"].

8> As to claim 16, Blount discloses a method of accessing remote data from a portable device [column 1 «lines 6-8»], comprising:

monitoring a user interface of the portable device for a selection of an item of information from a plurality of items of information presented to the user of the portable device on a display, each of the plurality of items of information being associated with further information stored on by a remote server [column 1 «lines 32-47» where: Blount's hyper-link statements are analogous to a plurality of items of information];

in response to the selection of an item of information from the plurality of items of information, sending a first request to the remote server for the further information [Figure 5 «item 264»];

waiting for the receipt of said associated information in response to said first request [column 3 «lines 45-56»];

while waiting for the receipt of said associated information, monitoring for a subsequent selection of a further item of information from said plurality of items of information and, in response to a subsequent selection, sending a request for the associated information of said further item of information to a remote server [column 3 «lines 45-56» | column 8 «lines 17-33»].

Art Unit: 2152

Blount disclose on receipt of said associated information, presenting to a user an indicator to indicate this receipt and that this indicator [column 15 «lines 16-44»] but does not specifically disclose an indicator comprising the momentary display of the received associated information nor does he disclose the items including a preloadable indication.

9> Slotznick discloses a momentary display of received associated information [column 26 «lines 5-18» | column 32 «lines 57-65»] for the expressed purpose of giving the client a glimpse of the information that has been received from the server. It would have been obvious to one of ordinary skill in the art to incorporate Slotznick's data displaying functionality, i.e. predetermined amount of time to display the information to the client, as a notification device in Blount to allow the client a notification and quick glimpse at the information downloaded while staying true to Blount's invention of allowing the user to continue working and without being overwhelmed [Blount - column 15 «lines 30-37»].

10> Lambert discloses items of information including a preloadable indication, and in response to detecting the preloadable indication, sending a request for more information [column 20 «lines 5-42» | column 21 «lines 46-67»] where : Lambert's lookahead tag is analogous to a preloadable indication. For instance, the tag specifies whether or not to perform the lookahead (preload) of images, audio or video files associated with already retrieved web pages]. The use of a lookahead-type functionality is well known in the art (prefetch, preload, etc) as are its substantial benefits for saving the user time when accessing a network [see Lambert, column 15 «lines 38-40»]. It would have been obvious to incorporate

Art Unit: 2152

Lambert's lookahead tags into Blount's documents to enable preloading capability in Blount's remote data retrieval system. One would have been motivated to provide such lookahead in Blount increase the data retrieval capability of his mobile devices in a wireless network.

11> As to claim 18, Blount discloses a method according to claim 16, wherein the further information associated with the further request is subsequently presented to the user in response to an input by the user [column 5 «lines 61-63»].

12> As to claim 19, Blount discloses a method according to claim 16, further comprising:
receiving further information and storing the further information in a
memory, forming a list of the selected items of information for which the further
information has been received, displaying the list on the display of the device, monitoring for
a selection of an item of information from the list and retrieving from memory the further
information associated with the item selected from the list [column 15 «lines 38-63»].

13> As to claim 22, Blount does not disclose a method according to claim 1 wherein on
presentation of the plurality of items of information to the user a request is sent to the
remote server for the associated information for all the items of information presented to the
user.

14> Lambert discloses a method according to claim 16 wherein on presentation of the
plurality of items of information to the user a request is sent to the remote server for the

Art Unit: 2152

associated information for all the items of information presented to the user [column 6 «lines 38-39» | column 16 «lines 43-47»] for the expressed purpose of prefetching the associated information for all the items of information presented to the user. Therefore it would have been obvious to one of ordinary skill in the art to incorporate Lambert's prefetching functionality into Blount for the obtained advantage of speeding information download to the mobile handheld device, especially useful in the transient world of wireless communications.

15> As to claim 23, Blount does not disclose a method of claim 22, wherein, when a user selects and information from the plurality of items of information, a check is made to ascertain whether the associated information of the selected item has already been received by the portable device and, when the associated information of the selected item has not already been received by the portable device, sending a request to the remote server for the information associated with the selected item.

16> Lambert discloses a method of claim 22, wherein, when a user selects and information from the plurality of items of information, a check is made to ascertain whether the associated information of the selected item has already been received by the portable device and, when the associated information of the selected item has not already been received by the portable device, sending a request to the remote server for the information associated with the selected item [column 5 «lines 54-60» | column 6 «lines 43-45»] for the expressed purpose of obtaining the specific content desired and requested by the user. It would have

Art Unit: 2152

been obvious to one of ordinary skill in the art to incorporate Lambert's caching and user request priority system into Blount for the obtained advantage of prioritizing user-specified requests as the most important request sent from the client device.

17> As to claim 24, Blount does not disclose canceling the request for the associated information for all of the items of information when a request for the information associated with the selected item is sent.

18> Lambert discloses a method further comprising canceling the request for the associated information for all of the items of information when a request for the information associated with the selected item is sent [column 16 «lines 66-67» | column 37 «lines 15-37» | column 38 «lines 1-9»]. It would have been obvious to one of ordinary skill in the art to further implement Lambert's request priority system into Blount to emphasize user-specified requests in terms of their importance of being serviced by the server. Implementing such a system would allow more efficient use of bandwidth in Blount's network.

19> As to claims 25 and 28, as they are merely claims to a portable device and browser, respectively, that implement the steps of the method of claim 16, they do not teach or further define over the limitations of claim 16. Therefore claims 25 and 28 are rejected for the same reasons set forth for claim 16, supra.

Art Unit: 2152

20> As to claim 26, Blount discloses a portable device according to claim 25, wherein the device is portable telecommunications device [column 2 «lines 13-26»].

21> As to claim 29, Blount discloses a method of accessing remote data, comprising:

monitoring a user interface for the selection of an item of information from a plurality of items of information presented to the user on a display, each of the items of information being associated with further information stored on a remote server [column 1 «lines 32-47» | column 15 «lines 59-63» where: Blount's hyper-link statements are analogous to a plurality of items of information];

in response to the selection of an item of information from the plurality of items of information, sending a first request to a remote server for the further information [Figure 5 «item 264»];

on receipt of said associated information in response to said first request displaying the further information on the display [column 16 «lines 25-29»];

Blount does not explicitly disclose wherein on presentation of the plurality of items of information to the user a request is sent to a remote server or servers for the further information associated with all of the items of information presented and the items contain a preloadable indication.

22> Lambert discloses a method wherein on presentation of the further information relating to the first request checking whether the further information contains one or more items of information associated with the further information including a preloadable

Art Unit: 2152

indication and sending a request for the further information associated with all of the items of information presented including an item associated with the preloadable indication [column 6 «lines 38-39» | column 16 «lines 43-47» | column 20 «lines 5-42» | column 21 «lines 46-67»] for the expressed purpose of prefetching the associated information for all the items of information presented to the user. Therefore it would have been obvious to one of ordinary skill in the art to incorporate Lambert's prefetching functionality into Blount for the obtained advantage of speeding information download to the mobile handheld device, especially useful in the transient world of wireless communications.

23> As to claim 30, Blount discloses a method of accessing remote data from a portable device, comprising:

monitoring a user interface of the portable device for the selection of an item of information from a plurality of items of information presented to the user of the portable device on a display, each said item of information being associated with further information stored on a remote server [column 1 «lines 32-47» where: Blount's hyper-link statements are analogous to a plurality of items of information];

in response to the selection of an item of information from the plurality of items of information, sending a first request to a remote server for the further information [Figure 5 «item 264»];

waiting for the receipt of the further information in response to the first request [column 3 «lines 45-56»];

Art Unit: 2152

while waiting for the receipt of the further information, in response to a subsequent selection, sending a request for the further information stored on the server which is associated with any non-selected item to the remote server [column 3 «lines 45-56» | column 8 «lines 17-33»],

receiving the further information and storing the further information in memory, forming a list of the selected items of information for which the associated information has been received, displaying the list on the display of the device, monitoring for a selection of an item of information from the list and retrieving from memory the further information associated with the item selected from the list [column 15 «lines 37-63» | column 16 «lines 19-24»].

Blount does not disclose checking items of information for a preloadable indication.

24> Lambert discloses items of information including a preloadable indication, and in response to detecting the preloadable indication, sending a request for more information [column 20 «lines 5-42» | column 21 «lines 46-67»] where : Lambert's lookahead tag is analogous to a preloadable indication. For instance, the tag specifies whether or not to perform the lookahead (preload) of images, audio or video files associated with an already retrieved web pages]. The use of a lookahead-type functionality is well known in the art (prefetch, preload, etc) as are its substantial benefits for saving the user time when accessing a network [see Lambert, column 15 «lines 38-40»]. It would have been obvious to incorporate Lambert's lookahead tags into Blount's documents to enable preloading capability in Blount's

Art Unit: 2152

remote data retrieval system. One would have been motivated to provide such lookahead in Blount increase the data retrieval capability of his mobile devices in a wireless network.

25> Claim 17 is rejected under 35 U.S.C § 103(a) as being unpatentable over Blount, Slotznick and Lambert, in further view of Deo et al, U.S Patent No. 5,973,612 ["Deo"].

26> Blount does not disclose a method wherein an icon is presented on the display together with the plurality of items of information.

27> Deo discloses a method of presenting an icon presented on the display [Figure 3 | column 7 «lines 19-25»]. It would have been obvious to one of ordinary skill in the art to incorporate Deo's icon functionality into Blount's response notification system to provide a more visual sign that a response has arrived to the client.

28> Claims 20 and 21 are rejected under 35 U.S.C § 103(a) as being unpatentable over Blount, Slotznick and Lambert, in further view of an Official Notice.

29> As to claim 20, Blount does disclose a list that is ordered but does not explicitly disclose the list is ordered in order of request.

30> Official Notice is taken that performing the action of ordering responses to requests on a list of results is well known and expected in the art. Such a technique helps the client

Art Unit: 2152

better organize the results in a fashion that is more amenable to the client's wishes for viewing the responses to his earlier requests first. Therefore, one of ordinary skill in the art would have reasonably inferred that Blount would have incorporated such a list ordering technique into his list creation system to increase the flexibility with which the user can view his results.

31> As to claim 21, Blount does disclose a list that is ordered but does not explicitly disclose that the list is ordered in reverse order of request.

32> Official Notice is taken that performing the action of reverse ordering responses to requests on a list of results is well known and expected in the art.⁶ Such a technique helps the client better organize the results in a fashion that is more amenable to the client's wishes to see the responses to his latest requests first. Therefore, one of ordinary skill in the art would have reasonably inferred that Blount would have incorporated such a list reverse ordering technique into his list creation system to increase the flexibility with which the user can view his results.

33> Claim 27 is rejected under 35 U.S.C § 103(a) as being unpatentable over Blount, Slotznick and Lambert, in further view of Zarom, U.S Patent No. 6,356,529.

34> Blount discloses utilizing wireless devices but does not specifically disclose that the device is a WAP device.

Art Unit: 2152

35> However, the use of the WAP (or wireless access protocol) has become ubiquitous in the wireless arena. For example, Zarom discloses that WAP devices are now the standard, their proliferation due to their efficient transport and transmission of data to handheld wireless devices [column 1 «lines 25-35»]. Therefore, one of ordinary skill in the art would have reasonably inferred that Blount's wireless device would be implemented as a WAP device to take advantage of the many advantages provided by the protocol as disclosed in Zarom.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Facq et al, U.S Patent No. 6.016.520 : in particular see column 13 «lines 58-67».

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2152

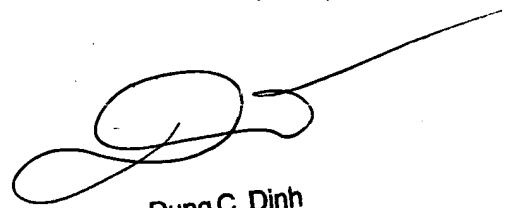
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942. The examiner can normally be reached on 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



Dung C. Dinh
Primary Examiner